

SENATE BILL 985

By Overbey

AN ACT to amend Tennessee Code Annotated, Title 63,  
Chapter 6, relative to anatomic pathology services.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 63-6-1202, is amended by deleting the section in its entirety and substituting instead the following:

Section 63-6-1202. A clinical laboratory or physician, located in this state, or in another state, providing anatomic pathology services for patients in this state, shall present or cause to be presented a claim, bill or demand for payment for these services only to the following:

- (1) The patient directly;
- (2) The responsible insurer or other third-party payor;
- (3) The hospital, public health clinic, or nonprofit health clinic ordering such services;
- (4) The referring laboratory, other than a laboratory of a physician's office or group practice that does not perform the professional component of the anatomic pathology service for which such claim, bill, or demand is presented; or
- (5) Governmental agencies or their specified public or private agent, agency, or organization on behalf of the recipient of the services.

SECTION 2. Tennessee Code Annotated, Section 63-6-1203, is amended by deleting word "cytopathology" from the first sentence and substituting instead the words "anatomic pathology".

SECTION 3. Tennessee Code Annotated, Section 63-6-1205, is amended by deleting the word "cytopathology" from the section and substituting instead the words "anatomic pathology".

SECTION 4. Tennessee Code Annotated, Section 63-6-1201, is amended by deleting the current subdivision (1) and substituting instead the following:

(1) "Anatomic pathology" means:

(A) Histopathology or surgical pathology meaning the gross and microscopic examination and histologic processing of organ tissue performed by a physician or under the supervision of a physician:

(B) Cytopathology meaning the microscopic examination of cells from the following:

(i) Fluids;

(ii) Aspirates;

(iii) Washings;

(iv) Brushings; or

(v) Smears, including the Pap test examination performed by a physician or under the supervision of a physician;

(C) Hematology meaning the microscopic evaluation of bone marrow aspirates and biopsies performed by a physician, or under the supervision of a physician, and peripheral blood smears when the attending or treating physician, or technologist requests that a blood smear be reviewed by a pathologist;

(D) Sub-cellular pathology or molecular pathology meaning the assessment of a patient specimen for the detection, localization, measurement, or analysis of one or more protein or nucleic acid targets performed or interpreted by or under supervision of a pathologist; or

(E) Blood-banking services performed by pathologists; and

SECTION 5. Tennessee Code Annotated, Section 63-6-1206, is amended by deleting the section in its entirety and substituting instead the following:

Section 63-6-1206. The provisions of this part do not prohibit billing of a referring laboratory for anatomic pathology services in instances where a sample or samples must be sent to another specialist; provided, for purposes of this section, "referring laboratory" does not include a laboratory of a physician's office or group practice that does not perform the professional component of the anatomic pathology service involved.

SECTION 6. Tennessee Code Annotated, Section 63-6-1207, is amended by deleting the word "cytopathology" and substituting instead "anatomic pathology".

SECTION 7. This act shall take effect July 1, 2009, the public welfare requiring it.